

**COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**BAY STATE GAS COMPANY**

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**D.T.E. 05-27**

**INTERVENOR UNITED STEELWORKERS OF AMERICA, AFL-CIO/CLC'S  
THIRD SET OF INFORMATION REQUESTS<sup>1</sup>**

- USWA-3-1 Referring to the June 21, 2005 E-mail sent from Bob Skaggs to "All NiSource Email Users", provide the "definitive agreement signed with IBM" to "operate a broad range of business functions." See Exhibit A. To the extent not already provided in fulfilling previous requests, include all documents reviewed, informing, relating to and regarding NiSource's decision to outsource positions to IBM.
- USWA-3-2 Identify all Company Departments affected, all positions affected within each Department, every incumbent holding an affected position, and the date each position will be outsourced or eliminated. State whether each position in question will be eliminated or outsourced to IBM and whether the incumbent in the affected position will be offered a position by IBM. State whether IBM will act as the employer or the manager of the outsourced position, or whether another entity, such as a second-tier contractor

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<sup>1</sup> In this request, the term "document" or "documents" means the originals and all non-identical copies (whether different from originals by reason of notations made on such copies or otherwise), or in lieu thereof, true and exact copies, regardless of origin or location, of any written, typed, printed, transcribed, taped, recorded, filmed, punched or graphic matter of any kind, type or nature whatsoever, however produced or reproduced, including but not limited to contracts, proposals, statements and invoices, financial books and records, letters or other correspondence, e-mails, telegrams, telex messages, memoranda and notes of telephone conversations, telephone logs, memoranda and notes of meetings and interviews, inter-office communications, instructions, notes, memoranda, reports, summaries, manuals, magnetic tapes, tabulations, records, work papers, research papers, books, journals, microfiche, microfilm, photographic film, surveys, charts, studies, data sheets, desk calendars and diaries, policies, printed matter, telephone logs, work sheets and working papers and all documentary materials of any nature whatsoever.

The term "identify" means, with respect to a natural person, (1) his or her name; (2) his or her current job title, if still employed by the Company, and whether he or she is employed directly by Baystate Gas or NiSource; (4) his or her current business address and telephone number; and, (5) the name and address of his or her current employer, if not currently employed by the Company.

The term "identify" means, with respect to documents, (1) the author thereof and the person or persons to whom the document(s) was originally directed; (2) the source from whom Complainant obtained such document(s); (3) the date of each such document(s); (4) the current custodian of each such document(s); (5) the location at which each such document(s) is situated; and, (6) the subject matter of each such document(s).

will serve as employer and identify that entity. Provide the FY 2005 salary and benefits for each outsourced or eliminated position. Identify the geographic location from which IBM or the second tier contractor will manage each outsourced position.

- USWA-3-3 For each outsourced Company position identified in your response to USWA-3-2, state the Department in which the employee is currently employed, the employee's years of service with the company, whether the employee is a union member (and their union affiliation), the FY 2005 salary and benefits for the employees, and the salary and benefits to be offered by IBM or a second-tier contractor. Provide a seniority list for the incumbent's Department.
- USWA-3-4 For each Company position identified in your response to USWA-3-2 as eliminated due to the agreement reached with IBM, state the Department in which the incumbent is currently employed, whether the employee is a union member (and their union affiliation), the FY 2005 salary and benefits for the employee, the employee's years of service at the company, and the details of the severance package each employee will receive. Provide a seniority list for the incumbent's Department.
- USWA-3-5 Provide all documents relating to or regarding IBM's experience, to date, running or managing business support functions (or portions thereof) including, but not limited to call centers and collections. Identify and include all case studies in which IBM has been selected to run or manage business support functions for other utilities; .
- USWA-3-6 To the extent not already provided, identify any second-tier contractors to be utilized by IBM to operate "business support functions," and which business support functions they will support. Provide all documents relating to or regarding the same. To the extent any business support functions, or portions thereof, will be outsourced to second-tier contractors, provide all documents relating to or regarding each second-tier contractor's experience, to date, running business support functions including, but not limited to call centers and collections. Identify and include all case studies in which any of the identified second-tier contractors have been selected to run business support functions for other utilities.
- USWA-3-7 Provide all documents relating to or regarding the Company's maintenance of any and all collective bargaining agreements during the pendency of the instant matter and through its contract to outsource business support functions to IBM. This request includes

internal e-mails among and between NiSource and Company employees and agents, notes taken at any meetings between NiSource, the Company, and or IBM, formal and informal memoranda, proposals between IBM and the Company or NiSource regarding outsourcing and the Company's bargaining obligations.

- USWA-3-8 To the extent not already provided in USWA-3-7, provide all documents relating to and regarding IBM and any measures proposed or taken with regard to NiSource's and/or the Company's bargaining units and the Company's obligations under any and all collective bargaining agreements from January 1, 2004 to date.
- USWA-3-9 Provide all documents consulted in, informing, related to or regarding the process by which the Company chose to retain, eliminate, or outsource positions as of July 1, 2005.
- USWA-3-10 Provide all documents supporting Bob Skaggs statement in the June 21 e-mail that "Starting July 1, 2005, IBM will operate a broad range of business support functions for NiSource." Ex. A. How will this be accomplished at the Company? Provide all documents relating to or regarding the transfer of business support functions from the Company to IBM.
- USWA-3-11 In Bob Skaggs' June 21 e-mail, he states that "this agreement will enable us to access new technology and service capabilities for our company." Ex. A. To the extent not already provided, provide all documents supporting this claim. Additionally, define all equipment and machinery constituting "technology" within the context of the Springfield Call Center. Additionally, identify all "technology" used that the Springfield Call Center and state its purchase date.
- USWA-3-12 Referring to the June 16, 2005 letter (see Exhibit B) sent by Robert Skaggs to all non-union and management elements regarding reductions or changes to employee health, 401K, and life insurance benefits, provide all documents relating to or regarding these changes, including, but not limited to all documents demonstrating the cost savings NiSource and the Company are projected to realize as a result of these changes from 2005 to 2015. To the extent not already provided, project the cost savings NiSource and the Company will respectively realize as a result of these changes for 2005 to 2015, and identify all assumptions utilized in these projections.
- USWA-3-13 Provide all documents verifying NiSource Vice President LaNette Zimmerman's claim, posted June 17, 2005 at

[http://my.nisource.com/portal/server.pt/gateway/PTARGS\\_0\\_2\\_87144\\_0\\_0\)18/20050616BC](http://my.nisource.com/portal/server.pt/gateway/PTARGS_0_2_87144_0_0)18/20050616BC) that "According to recent studies, the value and cost of NiSource's overall benefits continue to greatly exceed those offered by our peer utilities and other companies."

Respectfully submitted,

UNITED STEELWORKERS OF  
AMERICA,

By its attorneys,

/s/ Nicole Horberg Decter

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Dated: June 17, 2005

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 17, 2005, I caused a copy of the foregoing discovery request to be served by e-mail upon all individuals listed on the official service list for this case, a copy of which has been attached hereto. Hard copies were sent to the Company and the Department of Telecommunications and Energy by 1<sup>st</sup> class mail.

/s/ Nicole Horberg Decter  
Nicole Horberg Decter